

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

FILIBERTO J. GARZA MORENO,

Plaintiff,

vs.

**ALLEGIANT TRAVEL COMPANY, ET
AL.**

Defendants.

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Case No. 7:21-cv-00247

ORDER

BEFORE THE COURT is Defendants Allegiant Travel Company and Allegiant Air LLC's Motion for Partial Summary Judgment, which requests summary judgment on Plaintiff's claims for gross negligence and exemplary damages against them. Having considered the Motion, all subsequent briefing, the record before the Court, and arguments of counsel, the Court finds that there is no genuine issue of material fact that could support Plaintiff's claims for gross negligence and exemplary damages against Defendants Allegiant Travel Company and Allegiant Air LLC, and the Motion should therefore be GRANTED.

It is ordered that summary judgment is GRANTED on Plaintiff's claims for gross negligence and exemplary damages against Defendants Allegiant Travel Company and Allegiant Air LLC, and that these claims are DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

DONE at _____, Texas this ____ day of _____, 20__.

Micaela Alvarez
United States District Judge